07/12/07

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 7154 of 2007

PETITIONERS : 1. Shahina Khan, W/o Mohammad Ashim Khan @ Amit Kumar Aged about 30 years.
2. Mohammad Ashim Khan @ Amit Kumar S/o Mangal Das Barley, Aged about 30 years.
Both R/o Krishak Nagar, Jora, Telibandha, Raipur, C.G.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through the Secretary, Department of Home, D.K.S. Bhawan, Mantralaya, Raipur, C.G.
2. The Collector, District Mahasamund, C.G.
3. Superintendent of Police, District Mahasamund, C.G.
4. Mohammad Mohasin Khan S/o Mohammad Salim Khan.
5. Shabana @ Rashi W/o Tribhuwan Mahilang.
6. Mohammad Kalim Khan S/o Mohammad Salim Khan.
7. Mohammad, Salim Khan.
8. Anwari Khan W/o Mohammad Salim Khan.
All Respondent NO. 4 to 8 are R/o Isaipara, Ekta Chowk, Mahasamund, C.G.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Vimlesh Bajpai, Advocate for the petitioners.
Shri Vivek Sharma, Panel Lawyer for the State/respondent No. 1 to 3.

ORAL ORDER

(Passed on 06th day of December, 2007)

1. Learned counsel appearing for the petitioners submits that the petitioners are duly married wife and husband in accordance with law. The petitioners have made a representation to the Superintendent of Police, Mahasamund, on 14.08.2007 (Annexure P/3) to provide security during the marriage and thereafter. Learned counsel further submits that the petitioners have attained the age of majority and the petitioners are having threat from the relations of the petitioner No. 1.

2. Be that as it may. The Superintendent of Police, Mahasamund is under an obligation to look into the matter and provide necessary security to the

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petitioners. Shri Vivek Sharma, learned counsel appearing for the State/respondents 1, 2 and 3 submits that the Superintendent of Police, Mahasamund is under an obligation to act in accordance with law and provide adequate security to the people who have threat, actual or threat perception from other persons.

3. Accordingly, in view of the foregoing, the petition is disposed of with a direction to the Superintendent of Police, Mahasamund, to look into the matter and provide necessary assistance and security, as provided under the law.

Sd/-
Satish K. Agnihotri
Judge

Amit